

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

JUL 25 2013

David J. Bradley, Clerk

UNITED STATES OF AMERICA

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vs.

CRIMINAL NO. M-12-0118-7

YAHIR RICARDO GARCIA-MATIAS

§

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court has reviewed the Magistrate Judge's Report and Recommendation regarding Defendant's Notice of Appeal, construed by the Magistrate Judge as a motion for leave to extend the time period to file notice of appeal, Motion Requesting Counsel, and Application to Proceed In Forma Pauperis ("IFP") on appeal. After having reviewed the said Report and Recommendation, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED, and DECREED** that the conclusions in the United States Magistrate Judge Dorina Ramos' Report and Recommendation entered on the 16th day of April, 2013, are hereby adopted by this Court.

FURTHER, the Court, having adopted the conclusions of the Report and Recommendation of United States Magistrate Judge Dorina Ramos, **DENIES** Defendant's motion for leave to extend the time period to file notice of appeal (Dkt. Entry No. 159). Additionally, Defendant's motion to proceed IFP on appeal, and motion for appointed counsel (Dkt. Entry No. 160; 166) are **DENIED** without prejudice, as moot.

The Clerk shall send a copy of this Order to the parties.

SIGNED at McAllen, Texas this 25th day of July, 2013.


Randy Crane
UNITED STATES DISTRICT JUDGE